

REMARKS

Applicant respectfully request reconsideration of the application as amended.

Office Action Rejections Summary

Claims 1-6, 8-10, 12-18 and 21-25 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,069,872 of Bonomi et al. ("Bonomi") in view of ATM Trunking using AAL2 for Narrowband Services (February 1999, AF-VTOA-0113.000).

Status of Claims

Claims 1-6, 8-10, 12-16, 18 and 20-25 are pending in the application. Claim 16 has been amended. Claims 8, 21 and 22 have been amended to define preexisting claims limitations more properly. No claims have been added. No new matter has been added. Claim 17 has been canceled. Claims 18 and 20 have been amended to provide for proper claim dependency on a pending claim.

Claim Rejections

Claims 1-6, 8-10, 12-18 and 21-25 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bonomi in view of ATM Trunking using AAL2 for Narrowband Services (February 1999, AF-VTOA-0113.000), hereinafter referred to as "the ATM Trunking Reference." In particular, the Office Action states:

Regarding claims 1, 8, and 16, Bonomi discloses a system and method for controlling congestion in a packet switched communications system and in particular to an explicit rate congestion control system and method for an asynchronous transfer mode (ATM) communications network.

The network comprising:

a number of nodes connected through one or more communication links (Fig 1); and a resource manager configured to allocate bandwidth (Figs 2, 3, col 3 lines 1-60)

over the communication links to high priority calls received at one or more of the nodes without dropping existing calls within the network (Fig 3, cols 5 line 60-col 6 line 35, col 8 line 50-60).

Bonomi does not disclose the use of negotiation using selected compression schemes for existing calls transported on an outbound communications link. AF-VTOA-0113.000 discloses use of selected compression schemes for existing calls transported on an outbound communications link, (see pages 5-7 items 1.7-1.10 and chapter 7). The use of appropriate compression algorithm for voice traffic reduces the overall bandwidth required per call which in turn increases the total number of calls that may be completed within a same amount of bandwidth allocated. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bonomi's rate control system to include the compression schemes as taught by AF-VTOA-0113.000 so as to utilize less overall bandwidth per call yet increase the total number of calls that can be completed within the same amount of the total allocated bandwidth.

(Office Action, 6/18/03, p. 2-3)(emphasis added)

It appears that the Office Action is paraphrasing the language of the claims rather than analyzing each limitation of each of claims 1, 8 and 16. Moreover, such paraphrasing leaves out particular claim limitations explicitly recited within the claims. Applicant wishes to remind the Examiner that claims 1, 8 and 16 are each independent claims each having their own claim limitations. As such, the paraphrasing analysis provided by the Office Action referring to claims 1, 8, and 16 is inapposite. Applicant respectfully submits that the analysis provided in the Office Action does not read the references onto each of the independent claim limitations and, therefore, has not established that all the limitations of the applicant's claims are taught or suggested by the prior art references.

Applicant respectfully requests that the Examiner provide an independent analysis with respect to each of claims 1, 8 and 16 and the cited references by identifying, next to each claim's limitations, the column and line numbers from the cited references where the Examiner believes the claim language reads on the cited references. Although applicant

believes the burden has not been met in this matter, applicant is herewith making a response as best as possible in an attempt to advance prosecution of this case.

Applicant submits that claim 1 is patentable over the cited references.

Claim 1 recites:

A system, comprising a network node configured to negotiate for connections for high priority calls received at the node in the face of otherwise congested outbound communication links, wherein the node is configured to **negotiate** for one or more voice channels to accommodate the high priority calls **depending upon selected compression schemes** for existing calls transported on the outbound communication links

(emphasis added)

Bonomi does not disclose a node configured to negotiate for one or more voice channels to accommodate the high priority calls depending upon selected compression schemes for existing calls. Applicant believes the Examiner to be in agreement on this point. (See Office Action, 6/18/03, p. 2, as italicized above).

Applicant submits that the ATM Trunking Reference fails to cure this deficiency. The ATM Trunking Reference discloses the use of voice compression and encoding algorithms for achieving same. However, applicant is not claiming just the voice compression of a call in claim 1. Applicant respectfully submits that the Examiner has overlooked the claim 1 language of “to **negotiate for one or more voice channels to accommodate the high priority calls depending upon selected compression schemes.**”

Nothing in the ATM Trunking Reference teaches or suggests the negotiation for one or more voice channels to accommodate high priority calls by a node depending upon selected compression schemes. As such, a combination of the ATM Trunking Reference with Bonomi fails to teach or suggest the above noted claim 1 limitation. Therefore, applicant submits that claim 1 is patentable over a combination of the cited references. If the Examiner continues to advocate the obviousness of claim 1 in view of the cited references, applicant respectfully requests the Examiner to provide the page and line

numbers of the ATM Trunking Reference where the Examiner believes the ATM Trunking Reference teaches the negotiation for one or more voice channels of high priority calls by a node depending upon selected compression schemes.

Given that claims 2-6 depend from claim 1, applicant submits that claims 2-6 are also patentable over the cited references.

Applicant submits that claim 8 is patentable over the cited references.

Claim 8 recites:

A method comprising managing a communication link between nodes of a communication network so as to ensure connection availability for one or more high priority calls over the communication link through dynamic renegotiations of call parameters for existing calls transported over the communication link, wherein the dynamic renegotiations comprise **negotiations of compression schemes for the calls**.

(emphasis added)

Bonomi does not disclose negotiations of compression schemes for voice calls. Applicant submits that the ATM Trunking Reference fails to cure this deficiency. The ATM Trunking Reference discloses the use of voice compression and encoding algorithms for achieving same. However, applicant is not claiming the voice compression of a call in claim 8. Applicant respectfully submits that the Examiner has overlooked the claim 8 language of “dynamic renegotiations of call parameters for existing calls transported over the communication link, wherein the dynamic renegotiations comprise **negotiations of compression schemes for the calls**.” Nothing in the ATM Trunking Reference teaches or suggests the negotiation of compression schemes for calls. As such, a combination of the ATM Trunking Reference with Bonomi fails to teach or suggest the above noted claim 8 limitation. Therefore, applicant submits that claim 8 is patentable over a combination of the cited references. If the Examiner continues to advocate the obviousness of claim 8 in view of the cited references,

applicant respectfully request the Examiner to provide the page and line numbers of the ATM Trunking Reference where the Examiner believes the ATM Trunking Reference teaches the negotiation of compression schemes for calls.

Given that claims 9-10 and 12-15 depend from claim 8, applicant submits that claims 9-10 and 12-15 are also patentable over the cited references.

Applicant submits that claim 16 is patentable over the cited references.

Claim 16 recites:

A network comprising:

a number of nodes connected through one or more communication links;
and

a resource manager configured to allocate bandwidth over the communication links to high priority calls received at one or more of the nodes without dropping existing calls within the network through dynamic renegotiations of existing bandwidth utilization within the network, wherein the nodes each support multiple codec resources to compress voice information transmitted over the communication links, wherein the dynamic renegotiations comprise **negotiations of compression schemes** supported by the multiple codec resources for the calls.

(emphasis added)

Applicant submits that nothing in Bonomi or the ATM Trunking Reference, either alone or in combination, teaches or suggests negotiations of compression schemes for calls as recited in claim 16. Therefore, applicant submits that claim 16 is patentable over the cited references.

Given that claims 18 and 20 depend from claim 16, applicant submits that claims 18 and 20 are also patentable over the cited references.

For reasons similar to those given above with respect to claim 16, applicant submits that claims 21-25 are also patentable over the cited references.

In conclusion, applicant respectfully submits that in view of the arguments set forth herein, the applicable rejections have been overcome.

If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Daniel Ovanezian at (408) 720-8300.

If there are any additional charges, please charge our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 8/28, 2003

A handwritten signature in black ink, appearing to read "Daniel E. Ovanezian", is written over a horizontal line.

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